

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Avinoam Rubinstain et al.

Serial No.: 10/797,937

Filing Date: **March 11, 2004**

Title: **Ethernet Transport Over a Telephone
Line**

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Group Art Unit: **2661**

Examiner:

Attny. Docket No. **068758.0179**

Client Ref.: **S2388GC/aja**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING VIA EXPRESS MAIL

PURSUANT TO 37 C.F.R. § 1.10, I HEREBY CERTIFY THAT I HAVE INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE WILL BE DEPOSITED WITH THE U.S. POSTAL SERVICE AS EXPRESS MAIL POST OFFICE TO ADDRESSEE, ON THE DATE BELOW, AND IS ADDRESSED TO:

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Lynn Dennessley

EXPRESS MAIL LABEL: EV448728726US
DATE OF MAILING: NOVEMBER 8, 2004

PROOF UNDER 37 CFR 1.47 OF DILIGENT EFFORT

Sir:

Attached please find proof under 37 CFR 1.47 of diligent effort to obtain the signatures of inventors Avinoam Rubinstain and Yackov Sfadya.

Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

Date: November 8, 2004

By: *A. Grubert*

Andreas H. Grubert

(Limited recognition 37 C.F.R. §10.9)

One Shell Plaza

910 Louisiana Street

Houston, Texas 77002-4995

Telephone: 713.229.1964

Facsimile: 713.229.7764

AGENT FOR APPLICANTS

**Continuation in Part-US Patent Application No. 10/797,937 based on the
US Patent Application No. 09/322/062**

Title: Ethernet transport over a telephone line

Statement

as to what we have done to get the signed documents Declaration and Power of Attorney and Assignment from the inventors Mr. Avinoam Rubinstain and Mr. Yackov Sfadya.

Our client Infineon Technologies AG advised us to transfer the rights on the US Patent Application No. 09/322,062 from 3COM Corporation and Savan to Infineon Technologies AG and to file a Continuation in Part US Patent Application based on the US Patent Application No. 09/322,062. For the transfer of rights we needed the signatures of the inventors since the inventors never signed an Assignment to transfer their rights to 3COM Corporation and Savan.

The following steps have been taken to get the executed Assignment form Mr. Sfadya and Mr. Rubinstain for the transfer of rights on the US Patent Application No. 09/322,062:

- Telephone conversation with Mr. Moosrainer from Infineon Technologies AG on December 9, 2004 with reference to US Patent Application No. 09/322,062, whether the inventors Mr. Sfadya and Mr. Rubinstain are still employees of 3COM Corporation.
(see enclosure 1, paragraph 5)
- E-mail from Mr. Moosrainer from Infineon Technologies AG dated December 11, 2003 sending us the addresses of the two inventors and the e-mail address form Mr. Sfadya. Mr. Moosrainer received this information from 3COM Corporation.
(see enclosure 2)
- Telephone conversation with Mr. Moosrainer from Infineon Technologies AG on February 27, 2004 informing us that Mr. Rubinstain and Mr. Sfadya are no more employees of 3COM Corporation and providing us with the information as available 3COM Corporation and Infineon Technologies AG have, we received with the e-mail dated December 22, 2003
(see enclosure 3)

On March 1, 2004 we advised Baker & Botts LL.P. to file a Continuation in Part US Patent Application with USPTO which is based on the US Patent Application No. 09/322,062.

This CIP-Patent Application received the serial number 10/797,937.

The following steps have been taken to get the signed Declaration and Power of Attorney and Assignment of the inventors Mr. Yackov Sfadya and Mr. Avinoam Rubinstain:

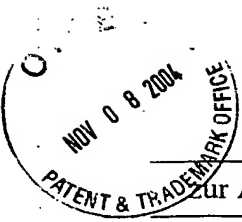
- We sent a registered letter to Mr. Rubinstain and Mr. Sfadya on March 29, 2004 to the addresses which we received from Mr. Moosrainer from Infineon Technologies AG with his e-mail dated December 22, 2003
(see enclosure 4a and 4b and enclosure 2)
- We sent registered reminder letters dated May 25, 2004 of our letters dated March 29, 2004 to Mr. Sfadya and Mr. Rubinstain
(see enclosure 5a and 5b)
- Telephone conversation with Mr. Moosrainer from Infineon Technologies AG on July 12, 2004 to inform Infineon that we are not able to get the signatures of Mr. Rubinstain and Mr. Sfadya and to ask him if he has new information about the addresses of Mr. Rubinstain and Mr. Sfadya.
(see enclosure 6)
- E-mail dated July 19, 2004 from Mr. Moosrainer from Infineon Technologies AG sending us the e-mail address from his contact person from 3COM Corporation Mr. Ori Pahlavan.
(see enclosure 7)
- Our e-mail dated August 3, 2004 to the 3COM contact person Mr. Ori Pahlavan.
(see enclosure 8)
- Response e-mail dated August 4, 2004 from Mr. Pahlavan. He sent us the known addresses and an e-mail address form Mr. Sfadya.
(see enclosure 9)
- Our e-mail to Mr. Sfadya dated August 5, 2004.
(see enclosure 10)

We never received any response from Mr. Sfadya and Mr. Rubinstain.

Munich, October 26, 2004


Glyndwr Charles

Aktennotiz



zur Akte S2230

aja/GC

Datum: 9. Dezember 2003

Telefonat mit Herrn Moosrainer von Infineon um 13 Uhr 30

- Habe nachgefragt, ob aus seinen Akten zu ersehen ist, ob jemals ein Assignment bezüglich der Übertragung der Rechte der Erfinder auf 3COM eingereicht wurde.
- Laut seiner Akte wurde wohl tatsächlich nie ein Assignment eingereicht, weder von der Erfindern auf 3COM, noch von 3COM auf Infineon.
- Außerdem seien die Erfinder Harpak, Porat, Peleg und Alroy Savan –Erfinder. Das heißtst an dieser Anmeldung ist nicht nur 3COM beteiligt, sonder auch Savan.
- Allerdings gelten als Anmelder die Erfinder Rubinstain, Sfadya, Peleg, Alroy, Porat und Harpak, da die Rechte nie auf 3COM oder Savan übertragen wurden.
- Herr Moosrainer fragt nun bei 3COM-nach, ob die Erfinder Rubinstain und Sfadya jemals Arbeitnehmer von 3COM waren, oder noch sind.
- Sobald wir die Information haben, werden wir an die US-vertreter Baker Botts schreiben und ihm die Situation schildern, damit er entscheiden kann, wer nach gültigem US-Recht auf wen übertragen muss und damit er uns die notwendigen Übertragungsformulare übersendet.

aja

Encl. 2

52230/64

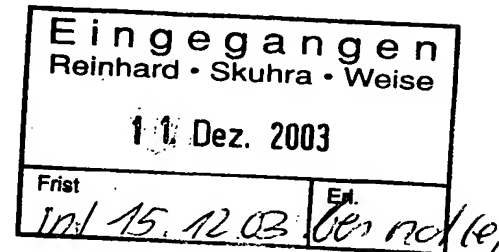
Reinhard, Skuhra, Weise & Partner GbR

Von: <Peter.Moosrainer@infineon.com>
 An: <Gesa.Ajayi@isarpatent.com>
 Gesendet: ~~Donnerstag, 11. Dezember 2003 13:18~~
 Betreff: WG: US Patent Application No. 09/322,062 transferred to Infineon Technologies AG

Hallo Frau Ajayi,
 Anbei die Adressen der beiden 3COM Erfinder.

Könnten Sie mich bitte kurz anrufen, damit wir das weitere Vorgehen
 absprechen koennten.

Gruss
 Moosrainer



-----Ursprüngliche Nachricht-----

Von: Patent_IDF@3com.com [mailto:Patent_IDF@3com.com]
 Gesendet: ~~Donnerstag, 11. Dezember 2003 00:18~~
 An: Peter.Moosrainer@infineon.com
 Cc: Patent_IDF@3com.com
 Betreff: Fw: US Patent Application No. 09/322,062 transferred to Infineon Technologies AG

Peter:

The last information we have for these two inventors:

Rubinstain, Avinoam
 744 Nachal Kisson St.
 Macabim, Israel 71908

Sfadya, Yackov
 3/6 Sigalit St.
 Kfar-Saba
 Israel

email: YakiS@n-sys.com

Regards,
 Ori Pahlavan

----- Forwarded by Patent IDF/F/HQ/3Com on 12/10/2003 03:10
 PM -----

Laurie Mintz/HQ/3Com
 12/10/2003 02:56 PM

11.12.03

Sent by: Laurie Mintz - Director of Intellectual Property Program,
Legal

To: Patent IDF/F/HQ/3Com@3Com
cc: Peter.Moosrainer@infineon.com
Subject: Fw: US Patent Application No. 09/322,062 transferred to
Infineon Technologies AG

Ori - Would you please get Peter the info he needs? I assume these are past employees of 3Com, but we may have their addresses in Israel. Thanks.

Laurie

----- Forwarded by Laurie Mintz/HQ/3Com on 12/10/2003 02:51
PM -----

Peter.Moosrainer@infineon.com on 12/10/2003 08:36:47 AM

Sent by: Peter.Moosrainer@infineon.com

To: Laurie Mintz/HQ/3Com
cc:
Subject: US Patent Application No. 09/322,062 transferred to Infineon
Technologies AG

Dear Laurie,
For the above mentioned patent application are Rubinstain Avinoam and Sfadya Yackov co-inventors. Please could you check if this two inventors are employees of 3COM. If yes have you the address of this inventors so that some documents could send to this persons.

Thank you very much for your help in this case.

Yours
Peter Moosrainer
Infineon Technologies AG

11.12.03

US-Patent Appl. No. 09/322,062

Encl. 3

Our ref: S2230

Baker Botts ref: 068758.0132

Gesprächs-Notiz

Datum	
27.2.01	
mit	Uhrzeit
Firma	Persönlich
Straße	eigener Anruf
Ort	fremder Anruf
Telefon/Telefax	
E-Mail	

Betreff:

- Das Schutzbedl wurde erworben, d.h. 3Com existiert noch als eigenständige Firma
- Ent. Stadya + Putnamstaus sind viel mehr über 3Com
- wir können die Ent & von 3Com direkt anschreiben
- 3Com weiß viel mehr als in dem e-mail vom 11.12. steht

ga

Zeichen:

erledigt:

Encl. 4a

PATENTANWÄLTE
EUROPEAN PATENT AND TRADEMARK ATTORNEYS

Registered

Sfadya, Yackov
Sigalit Street 3/6
44414 Kfar Saba
Israel

Dr. rer.nat. Horst REINHARD (1999)
Dipl.-Ing. Udo SKUHRA
Dipl.-Ing. Reinhard WEISE
Dr. rer.nat. Werner BEHNISCH
Dr. rer.nat. Stephan BARTH
Dipl.-Ing. Dipl.-Ing. Glyn CHARLES
Wolfgang SANDMANN, M.P.H.
Dipl.-Ing. Oliver HASSA
Dipl.-Ing. Jürgen METZLER*

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Fax. +49-89-3401479

Ihr Zeichen/your ref.

Unser Zeichen/our ref.

München/Munich

S2388 GC/aja

~~March 29, 2004~~

**US-Continuation in Part Patent Application based on
US-Patent Application No. 09/322,062
Applicant: Infineon Technologies AG
Title: Ethernet transport over a telephone line**

Dr. Mr. Sfadya:

Please find enclosed the forms "Declaration and Power of Attorney" and "Assignment" requested by the US-Patent Office.


We would like to ask you to sign and date these forms as indicated. Please note that the "Assignment" has to be also signed and dated by two witnesses.

Please return the original forms until

April 20, 2004.

If there are any further questions please do not hesitate to contact us.

Very truly yours



Glyndwr Charles
Patent Attorney

Enclosure:

Declaration and Power of Attorney
Assignment
Information Sheet

Encl 4b

PATENTANWÄLTE
EUROPEAN PATENT AND TRADEMARK ATTORNEYS

Registered
Avinoam Rubinstain
Nachal Kisson Street 744
71908 Maccabim
Israel

Dr. rer.nat. Horst REINHARD (-1998)
Dipl.-Ing. Udo SKUHRA
Dipl.-Ing. Reinhard WEISE
Dr. rer.nat. Werner BEHNISCH
Dr. rer.nat. Stephan BARTH
Dipl.-Ing. Dipl.-Ing. Glyn CHARLES
Wolfgang SANDMANN, M.P.H.
Dipl.-Ing. Oliver HASSA
Dipl.-Ing. Jürgen METZLER*

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Fax. +49-89-3401479

Ihr Zeichen/your ref.

Unser Zeichen/our ref.

S2388 GC/aja

München/Munich

~~March 29, 2004~~

**US-Continuation in Part Patent Application based on
US-Patent Application No. 09/322,062**

Applicant: Infineon Technologies AG

Title: Ethernet transport over a telephone line

Dear Mr. Rubinstain:

Please find enclosed the forms "Declaration and Power of Attorney" and "Assignment" requested by the US-Patent Office.

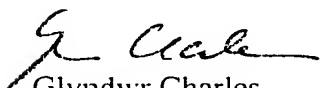
We would like to ask you to sign and date these forms as indicated. Please note that the "Assignment" has to be also signed and dated by two witnesses.

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Glyndwr Charles
Patent Attorney

Enclosure:

Declaration and Power of Attorney

Assignment

Information Sheet

SD01202E

Einlieferungsbeleg Zusatzleistungen für Selbstbucher/Koop-Partner

Deutsche Post 

Einlieferungsdatum:

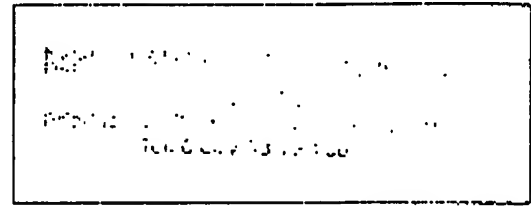
~~31.03.04~~ 



Kundennummer:



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3	Kopp AG P 16813 P 13139	63793	Kahl am Main	09 3318 9538 1DE
4	Medice A 0949-16	58634	Berlin	09 3318 9539 5DE
5	CHAE & SONG W 9512	135-717	Siedow DDR	09 3318 9540 4DE
6	Ingenieur Techn. -Squad S 2388 (2x)	42504	Nietzen Israel	09 3318 9541 8DE
7	Noam Alroy S 2388	60920	Kadima Israel	09 3318 9542 1DE
8	Avinoam Rubinstein S 2388	71900	Haifa Israel	09 3318 9543 5DE
9	Sofiya Yakov S 2388	44414	Netzer Saba Israel	09 3318 9544 9DE
10	Musakami P 14657	531-0074	Osaka Japan	09 3318 9545 2DE
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12	Baker & Potip S 2707	70000	Hannover DDR	09 3318 9547 0DE
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Encl. 5a

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Sfadya, Yackov
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44414 Kfar Saba
Israel

URGENT
Reminder

Dr. rer. nat. Horst REINHARD (1935)
Dipl.-Ing. Udo SKUHRA
Dipl.-Ing. Reinhard WEISE
Dr. rer. nat. Werner BEHNISCH
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Fax. +49-89-3401479

Ihr Zeichen/your ref.

Unser Zeichen/our ref.

S2388 GC/aja

München/Munich

~~March 29, 2004~~

~~May 25, 04~~

US-Continuation in Part Patent Application based on
US-Patent Application No. 09/322,062
Applicant: Infineon Technologies AG
Title: Ethernet transport over a telephone line

Dr. Mr. Sfadya:

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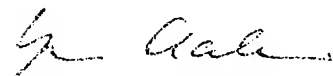
We would like to ask you to sign and date these forms as indicated. Please note that the "Assignment" has to be also signed and dated by two witnesses.

Please return the original forms until

April 20, 2004.

If there are any further questions please do not hesitate to contact us.

Very truly yours


Glyndwr Charles
Patent Attorney

Enclosure:
Declaration and Power of Attorney
Assignment
Information Sheet

Encl. 5b

PATENTANWÄLTE
EUROPEAN PATENT AND TRADEMARK ATTORNEYS

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71908 Maccabim
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Dipl.-Ing. Udo SKUHRA
Dipl.-Ing. Reinhard WEISE
Dr. rer. nat. Werner BEHNISCH
Dr. rer. nat. Stephan BARTH
Dipl.-Ing. Dipl.-Ing. Glyn CHARLES
Wolfgang SANDMANN, M.P.H.
Dipl.-Ing. Oliver HASSA
Dipl.-Ing. Jürgen METZLER*

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D-80750 MÜNCHEN Fax. +49-9561-871533
Tel. +49-89-3816100
Fax. +49-89-3401479

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Unser Zeichen/Ihre ref.

S2388 GC/aja

München/Munich
March 29, 2004

US-Continuation in Part Patent Application based on
US-Patent Application No. 09/322,062
Applicant: Infineon Technologies AG
Title: Ethernet transport over a telephone line

May 25, 04

Dear Mr. Rubinstain:

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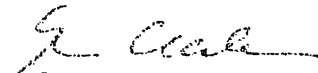
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LL

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Very truly yours


Glyndwr Charles
Patent Attorney

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Declaration and Power of Attorney
Assignment
Information Sheet

Einlieferungsbeleg Zusatzleistungen für Selbstbucher/Koop-Partner

Deutsche Post


Einlieferungsdatum:

~~27-05-04~~ ←



Kundennummer:


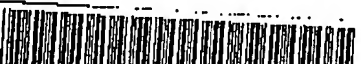
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Postfach 11 00
Frankfurt am Main 11 00
Telefon: 0 69 1 90 100

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Encl. 6

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12.7.04

Telefonnotiz

An

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☐ ruft wieder an am / um

H. Noosrainer

☐ bittet um Kontakt () Nr.

• wir können die Unter-
schriften von Jadya
und Rubinstein nicht
bekommen

Hat er neue Informationen?

g/g

Aufgenommen von:

Erledigt durch

☐ Anruf

☐ Brief

☐ Besuch

Datum

Zchn.

Eingegangen
Reinhard • Skuhra • Weise

20. Juli 2004

Frist

Erl.

Reinhard, Skuhra, Weise & Partner GbR

Von: <Peter.Moosrainer@infineon.com>
An: <rsw@isarpatent.com>
Gesendet: Montag, 19. Juli 2004 11:45:12
Betreff: WG: 1228.NCD.CA.P -- Assignment to Infineon [Fw: WG: Message received fromUnknownFaxMachine on 4/16/2004 at 8:14:51 AM.]

Encl. 7

Bitte dieses e-mail an Frau Ajay weiterleiten (hoffe, ich habe das richtig geschrieben. Ansonsten Schande über mich. Schämte mich auch.)
Bin leider nicht mehr dazugekommen vor meinem Urlaub bei 3Com nachzufragen wegen der Erfinder.
Können Sie bitte selbst bei Ori nachfragen. Er ist nett und hilfbereit. War mein letzter Kontakt bei 3Com.
Sorry für die Umstände.
Gruß
Moosrainer Peter

P.S. Wünsche ein frohes schaffen in den nächsten 3 Wochen.

-----Ursprüngliche Nachricht-----

Von: Moosrainer Peter (IC PA PJ)
Gesendet: Montag, 21. Juni 2004 13:49
An: 'Ori_Pahlavan@3com.com'
Betreff: AW: 1228.NCD.CA.P -- Assignment to Infineon [Fw: WG: Message received fromUnknownFaxMachine on 4/16/2004 at 8:14:51 AM.]

contact person

---(Dear Ori,

thank you very much for your help. We have received the signed assignment. But we have one problem. It was signed from a witness. We assume that the name should be

Linda ?? Thomasino.

Please could you inform me of the complete name of Ms Thomasino.

Thank you for your help.

Yours
Peter

-----Ursprüngliche Nachricht-----

Von: Moosrainer Peter (CPC IC PA PJ)
Gesendet: Mittwoch, 21. April 2004 09:39
An: 'Ori_Pahlavan@3com.com'
Betreff: AW: 1228.NCD.CA.P -- Assignment to Infineon [Fw: WG: Message received fromUnknownFaxMachine on 4/16/2004 at 8:14:51 AM.]

Dear Ori,

thank you for your e-mail. I have checked this case and found out that the canadian patent application was filed with the old address of 3Com. Under this circumstances I assume that we should use the old address of 3Com for the assignment.

Please could you inform me if you agree with this.

Thank you very much for your assistance in this case.

Yours

Peter Moosrainer

-----Ursprüngliche Nachricht-----

Von: Ori_Pahlavan@3com.com [mailto:Ori_Pahlavan@3com.com]
Gesendet: Samstag, 17. April 2004 02:43
An: Moosrainer Peter (CPC IC PA PJ)
Cc: Laurie_Mintz@3com.com; Patent_IDE@3com.com

20.07.04

Encl. 8

Gesa Ajayi

Von: "Gesa Ajayi" <Gesa.Ajayi@lsarpatent.com>
An: <ori_pahlavan@3com.com>
Gesendet: Dienstag, 3. August 2004 16:10
Betreff: AW:1228.NCD.CA.P--Assignment to Infineon /Infineon Reference Nos. 20022P50186 US / 20022P50186 USCIP /our cases: S2388 GC/aja / S2230 GC/aja

US-Patent Application No. 09/322,062

US-Continuation-in-Part Application No. 10/797,937

Dear Mr. Pahlavan:

We are writing as the representatives of the above-mentioned US-Patent Applications.

Mr. Peter Moosrainer from Infineon Technologies AG gave us your e-mail-address.

The rights on the US-Patent Application No. 09/322,062 should be transferred from 3COMCooperation and Savan Communications Ltd. to Infineon Technologies AG. The US-CIP-Patent Application No. 10/797,937 is a Continuation-in-Part-Application to the US-Patent Application NO. 09/322,062.

Now it is necessary to file an Assignment which is executed by the inventors with the US-Patent Office in both cases. Two of the inventors (Mr. Aviram Rubinstain and Mr. Yackov Sfadya) were employees of 3Com Cooperation. Since until now we could not get the executed Assignments from Mr. Rubinstain and Mr. Sfadya we believe that the addresses on file are not correct.

We would like to ask you to advise us about the correct addresses, telephone/faxnumbers or e-mail addresses of Mr. Rubinstain and Mr. Sfadya if available.

Thank you very much for your cooperation in this matter.

Best Regards

by order. Gesa Ajayi
Glyndwr Charles
Patent Attorney

Patent Attorneys
Reinhard Skuhra Weise & Partners GbR
Friedrichstraße 31 - 80801 München, DE
Postfach 44 01 51 - 80750 München, DE
Tel: 0049-89-38 16 100
Fax: 0049-89-340 14 79
e-mail: RSW@lsarpatent.com

Encl. 9

Reinhard, Skuhra, Weise & Partner GbR

E i n g e g a n g e n Reinhard • Skuhra • Weise	
0 4. Aug. 2004	
Frist	Erl.

Von: <Patent_IDF@3com.com>
An: <gesa.ajayi@isarpatent.com>
Cc: <Patent_IDF@3com.com>; <Laurie_Mintz@3com.com>
Gesendet: Mittwoch, 4. August 2004 00:22
Einfügen: C.htm
Betreff: 1669.NCD.US.P – Inventor's Contact Information [Fw: AW:1228.NCD.CA.P–Assignment to Infineon /Infineon Reference Nos. 20022P50186 US / 20022P50186 USCIP /our cases: S2388 GC/aja / S2230 GC/aja]

Dear Gesa Ajayi:

Thank you for your email. The last contact information we have for these inventors:

Avinoam Rubinstein
744 Nachal Kisson St.
Macabim, Israel 71908
972-8-9264518

Yackov Sfadya
3/6 Sigalit St.
Kfar-Saba, Israel
YakiS@m-sys.com

Sincerely,
The Patent Group

----- Forwarded by Patent IDF/F/HQ/3Com on 08/03/2004
03:19 PM -----

Ori Pahlavan/HQ/3Com
08/03/2004 03:11 PM

Sent by: Ori Pahlavan - Patent Paralegal, Legal Department:
408.326.5326 (W) ; 408.326.6434 (F)

To: Patent IDF/F/HQ/3Com@3Com
cc:

Subject: 1669.NCD.US.P -- Inventor's Contact Information [Fw:
AW:1228.NCD.CA.P--Assignment to Infineon /Infineon Reference Nos.
20022P50186 US / 20022P50186 USCIP /our cases: S2388 GC/aja / S2230
GC/aja]

04.08.04

----- Forwarded by Ori Pahlavan/HQ/3Com on 08/03/2004
03:14 PM -----

"Gesa Ajayi" <Gesa.Ajayi@isarpatent.com> on 08/03/2004 07:10:25 AM

Sent by: "Gesa Ajayi" <Gesa.Ajayi@isarpatent.com>

To: Ori Pahlavan/HQ/3Com@3Com

cc:

Subject: AW:1228.NCD.CA.P--Assignment to Infineon /Infineon Reference
Nos. 20022P50186 US / 20022P50186 USCIP /our cases: S2388 GC/aja /
S2230 GC/aja

US-Patent Application No. 09/322,062
US-Continuation-in-Part Application No. 10/797,937

Dear Mr. Pahlavan:

We are writing as the representatives of the above-mentioned US-Patent Applications.

Mr. Peter Moosrainer from Infineon Technologies AG gave us your e-mail-address.

The rights on the US-Patent Application No. 09/322,062 should be transferred from 3COMCooperation and Savan Communications Ltd. to Infineon Technologies AG. The US-CIP-Patent Application No. 10/797,937 is a Continuation-in-Part-Application to the US-Patent Application NO. 09/322,062.

Now it is necessary to file an Assignment which is executed by the inventors with the US-Patent Office in both cases. Two of the inventors (Mr. Aviram Rubinstain and Mr. Yackov Sfadya) were employees of 3Com Cooperation. Since until now we could not get the executed Assignments from Mr. Rubinstain and Mr. Sfadya we believe that the addresses on file are not correct.

We would like to ask you to advise us about the correct addresses, telephone/faxnumbers or e-mail addresses of Mr. Rubinstain and Mr. Sfadya if available.

Thank you very much for your cooperation in this matter.

Best Regards

by order. Gesa Ajayi
Glyndwr Charles
Patent Attorney

Patent Attorneys
Reinhard Skuhra Weise & Partners GbR
Friedrichstraße 31 - 80801 München, DE

04.08.04

Postfach 44 01 51 - 80750 München, DE
Tel: 0049-89-38 16 100
Fax: 0049-89-340 14 79
e-mail: RSW@isarpatent.com

(See attached file: C.htm)

Encl. 10

Gesa Ajayi

Von: "Gesa Ajayi" <Gesa.Ajayi@Isarpatent.com>
An: <yakiS@m-sys.com>
Gesendet: ~~Donnerstag, 5. August 2004 11:01~~
Einfügen: 10_797_937Declaration.PDF; 10_797_937Assignment.PDF; 09_322_062Assignment.PDF
Betreff: US-CIP- Application No. 10/797,937 (S2388 GC/aja) and US-Patent Application No. 09/322,062 (S2230 GC/aja)

US-Continuation in Part Patent Application No. 10/797,937 based on US-Patent Application No. 09/322,062 and
US-Patent Application No. 09/322,062
Applicant: Infineon Technologies AG
Title: Ethernet transport over a telephone line

Dr. Mr. Sfadya:

We are writing as the representatives of the above-mentioned US-Patent Applications.

Mr. Ori Pahlavan from 3Com Corporation gave us your e-mail-address.

The rights on the US-Patent Application No. 09/322,062 should be transferred from 3COMCooperation and Savan Communications Ltd. to Infineon Technologies AG. The US-CIP-Patent Application No. 10/797,937 is a Continuation-in-Part-Application to the US-Patent Application No. 09/322,062. The inventors of 3 Com Corporation of the US-Patent Application No. 09/322,062 are you and Mr. Avinoam Rubinstain.

Now it is necessary to file the forms "Declaration and Power of Attorney" and "Assignment" (in US-Patent Application No. 09/322,062) and an "Assignment" (in US-Patent Application No. 10/797,937) with the US-Patent Office. These forms have to be signed by all inventors of the applications.

We would like to ask you to sign and date these forms as indicated. Please note that the "Assignment" has to be also signed and dated by two witnesses.

Please return the original forms until

September 3, 2004.

Furthermore we would like to ask you if you have any information (address, e-mail or facsimile) from your co-inventor Mr. Rubinstain. Since until now we could not get any action from Mr. Rubinstain we believe that the addresses on file are not correct. Please inform us if you have any idea how to reach Mr. Rubinstain.

If there are any further questions please do not hesitate to contact us.

Thank you very much for your cooperation in this matter.

Very truly yours

by order: Gesa Ajayi
 Glyndwr Charles
 Patent Attorney

Enclosure:
 Declaration and Power of Attorney
 Assignment for US-Application No. 09/322,062
 Assignment for US-CIP-Application No. 10/797,937
 Information Sheet

Patent Attorneys
 Reinhard Skuhra Weise & Partner GbR

05.08.04

Friedrichstraße 31 - 80801 München, DE
Postfach 44 01 51 - 80750 München, DE
Tel: 0049-89-38 16 100
Fax: 0049-89-340 14 79
e-mail: rsw@isarpatent.com

**Information with respect to:
"Declaration and Power of Attorney", "Assignment" and
"Information Disclosure Statement (IDS)"**

Execution Documents: "Declaration and Power of Attorney" and "Assignment"

For the present US-Patent application Priority of a German patent application has been claimed. The right of the invention underlying this US-patent application has been transferred to Infineon Technologies AG by claiming a service invention pursuant to §§ 6 and 7 German Act on Employees/Inventors (Arbeitnehmererfindergesetz) or by an agreement between both parties.

According to US-Patent Law only the inventor/s is/are allowed to file a US-patent for his/their invention. That means that in the U.S.A. only the inventor/s is/are accepted as applicant/s.

By signing the documents "Declaration and Power of Attorney" (also "Declaration for Utility or Design Patent Application") the inventor/s declare(s):

- that he/they is/are the only/s inventor/s of the present invention,
- that the inventor/s agree(s) with the wording of the application as filed,
- that a priority of a foreign application is claimed,
- that the inventor/s is/are informed that he/they is/are obliged to communicate every relevant shown state of the art which comes to his/their attention so that it can be included in the "Information Disclosure Statement (IDS)".

In the "Declaration and Power of Attorney" the US-Patent Attorney is further authorized to act for the applicant/s before the US-Patent Office.

In the "Assignment" the right for the US-Patent application is transferred from the inventor/s to Infineon Technologies AG.

Information Disclosure Statement (IDS):

According to the US-Patent Law the applicant is obliged to provide the US-Patent Office with every state of the art which comes to his attention.

For further information please do not hesitate to contact us.